	Application No.	Applicant(s)
	09/853,037	LOCK ET AL.
Notice of Allowability	Examiner	Art Unit
	Amir Alavi	2621
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI	ears on the cover sheet wi (OR REMAINS) CLOSED in or other appropriate comm IGHTS. This application is:	n this application. If not included unication will be mailed in due course. <b>THIS</b>
1. 🛛 This communication is responsive to <u>The interview conduct</u>	ted on 30 March 2005.	
2. The allowed claim(s) is/are <u>1-33</u> .		
3. The drawings filed on 11 May 2001 are accepted by the Ex	kaminer.	
<ul> <li>4. Acknowledgment is made of a claim for foreign priority una) All b) Some* c) None of the: <ol> <li>Certified copies of the priority documents have</li> <li>Certified copies of the priority documents have</li> <li>Copies of the certified copies of the priority documents have</li> <li>Copies of the certified copies of the priority documents have</li> <li>Copies of the certified copies of the priority documents have</li> <li>Certified copies of the certified copies of the priority documents have</li> <li>The priority documents have</li> <li>Certified copies of the priority documents have</li> <li>The priority documents have&lt;</li></ol></li></ul>	e been received. he been received in Application cuments have been receive of this communication to file IENT of this application.	on No  d in this national stage application from the a reply complying with the requirements
<ol> <li>A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give</li> </ol>		
6. CORRECTED DRAWINGS ( as "replacement sheets") mus	t be submitted.	
(a) 🔲 including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached		
1) 🗌 hereto or 2) 🔲 to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1, each sheet. Replacement sheet(s) should be labeled as such in the		
7. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT		
Attachment(s)  1. ☐ Notice of References Cited (PTO-892)  2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date  4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. ⊠ Interview S Paper No 8), 7. ⊠ Examiner's	formal Patent Application (PTO-152) ummary (PTO-413), 'Mail Date <u>20050330</u> . Amendment/Comment Statement of Reasons for Allowance

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## **EXAMINER'S AMENDMENT**

- ➤ An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
- > The application has been amended as follows: Claim 24, please delete lines 1-12, also on line 13, please delete the two brackets.
- Authorization for this examiner's amendment was given in a telephone interview with Ms. Stacey J. Longanecker on 30 March 2005.

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## **REASONS FOR ALLOWANCE**

> The following is an examiner's statement of reasons for allowance: The present invention is directed to a method and apparatus for identifying clusters in two-dimensional data, wherein said data comprises a plurality of clusters. Each Independent claim identifies the uniquely distinct feature, " for determining a density estimate based on a number of bins, wherein said density estimate is characterized by a three-dimensional plot depicting peaks and valleys and identifying at least one cluster in said data, said at least one cluster comprising a plurality of points which satisfy a selected density criteria". The closest prior art, Lock (USPN 6,014,904), discloses a method for automatically classifying multiparameter data into cluster groups for the purpose of defining different populations of particles in a sample by automatically defining a position of at least one variable position, geometric boundary surface on a twodimensional scatter plot so as to enclose a group of the displayed particles in a data cluster; while Lu (USPN 6,317,517 B1), discloses statistical pattern recognition, either singularly or in combination, fail to anticipate or render the above underlined limitation obvious.

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➤ Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

## **Contact Information**

- ➤ Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amir Alavi whose telephone number is 703-306-5913.
- The examiner can normally be reached on Mon-Thu.. 8:00 am thru 6:30pm.lf attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Bhavesh Mehta can be reached on 571-272-7453.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

"ANDREV) W. JOHNS PRIMARY EXAMINER

AA Group Art Unit 2621 30 March 2005